

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NUMBER 00-6311-CR-HUCK

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CLARENCE LARK, Et Al.

Defendants

GOVERNMENT'S RESPONSE TO THE MOTIONS TO SUPPRESS STATEMENTS

In its response to the Court's standing discovery order, the United States stated that the following defendants gave statements post arrest statements: Lawrence Seymore, Charlie Hall and Keith Lampkin. However, it appears that only the Defendant Hall has filed a motion to suppress.

The United States will not use the post arrest statements of either Hall or Lampkin in its case in chief, consequently, no pre-trial hearing on their admissibility need be held. The United States does intend to introduce the post arrest statement of the defendant Seymore.

If a motion to suppress this statement is filed, the United States will demonstrate that the statement was made after the defendant signed a waiver of his rights under Miranda v. Arizona, 384 U.S. 436 (1966) and that the waiver was voluntary under the

test set forth by the Court in Moran v. Burbine, 475 U.S. 412 (1986). Moreover, we will demonstrate that the statement was voluntary under the principles set forth in Colorado v. Connelly, 479 U.S. 157 (1986) and Schneckloth v. Bustamonte, 412 U.S. 318 (1973).

Respectfully submitted,
GUY A. LEWIS
UNITED STATES ATTORNEY

BY: 
MICHAEL J. DITTOE
Assistant United States Attorney
Court ID #A5500209
500 E. Broward Blvd., Ste. 700
Ft. Lauderdale, FL 33394-3002
Tel: (954) 356-7392
Fax: (954) 356-7230

BY: 
TERRENCE THOMPSON
✓ Assistant United States Attorney
Court ID #A5500063
500 E. Broward Blvd., Ste. 700
Ft. Lauderdale, FL 33394-3002
Tel: (954) 356-7392
Fax: (954) 356-7230

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 5th day of March, 2001 to:

Donald I. Bierman, Esq.
Bierman, Shohat, Loewy & Klein, P.A.
800 Brickell Avenue, PH-2
Miami, FL 33131

(305) 358-7000
Attorney for Lark

Steve Kassner, Esq.
815 Ponce de Leon Blvd., Ste. 303
Coral Gables, FL 33134

(305) 461-2744
Attorney for Lampkin

Bruce H. Lehr, Esq.
1401 Brickell Ave., Ste. 810
Miami, FL 33131

(305) 377-1777
Attorney for Seymour

Larry Hanfield, Esq.
4770 Biscayne Blvd., Ste. 1200
Miami, FL 33137

(305) 576-1011
Attorney for Hall

Paul D. Lazarus, Esq.
800 Brickell Ave., PH-2
Miami, FL 33131

(305) 539-0606
Attorney for Crenshaw

Guy Speigelman, Esq.
28 W. Flagler St., Ste. 400
Miami, FL 33131

(305) 373-6634
Attorney for McHome

Reemberto Diaz, Esq.
1435 S. Miami Ave.
Miami, FL 33130

(305) 446-0001
Attorney for Hall

James D. Henderson, Esq.
12121 Wilshire Blvd., Ste. 1130
Los Angeles, CA 90025

(310) 478-3131
Attorney for Gallo

Martin R. Raskin, Esq.
Grove Forest Plaza, Ste. 206
2937 S.W. 27 Ave.
Miami, FL 33133

(305) 444-3400
Attorney for Gallo

William J. Cone, Jr., Esq.
514 S.E. Seventh St.
Ft. Lauderdale, FL 33301

(954) 764-0570
Attorney for Newton


MICHAEL J. DITTOE
ASSISTANT UNITED STATES ATTORNEY